



**Environmental
Planning
Commission**

**Agenda Number: 4
Project Number: 1002068
Case Number: 08EPC 40025
April 17, 2008**

Staff Report

Agent	Integrated Design & Architecture
Applicant	YES 6900 Gonzales LLC
Request	Sector Development Plan Map Amendment
Legal Description	A portion of Tracts 150 & 151, Unit 6, Town of Atrisco Grant
Location	6900 Gonzales Rd. SW (between Coors Blvd. and Bataan Dr.)
Size	Approximately 6 acres
Existing Zoning	SU-1 for Church and Related Facilities
Proposed Zoning	R-T

Staff Recommendation

APPROVAL of 08EPC 40025, based on the findings beginning on Page 15.

Staff Planner

Catalina Lehner-AICP, Senior Planner

Summary of Analysis

This request is for a sector development plan map amendment for an approx. 6 acre site on Gonzales Rd. SW. The applicant proposes to change the subject site’s zoning from SU-1 for Church and Related Facilities to R-T in order to allow future development of: 1) townhomes and 2) a charter school re-use of the existing church.

Applicable plans are the Westside Strategic Plan and the Tower-Unser Sector Development Plan. The applicant has adequately justified the zone change request pursuant to R270-1980 based on changed community conditions and the proposed zoning being more advantageous to the community than the current zoning.

A facilitated meeting was held. There is general support, though concern was expressed about site plan issues. However, since this request is not for SU-1 zoning, site plan considerations do not enter this analysis but will be addressed at the DRB at a later time. Staff finds that the zone change request has been adequately justified and therefore recommends approval.

City Departments and other interested agencies reviewed this application from 3/10/08 to 3/21/08. Agency comments were used in the preparation of this report and begin on Page 19.

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-1 for Church and Related Facilities	Established Urban Westside Strategic Plan Southwest Area Plan Tower Unser Sector Dev. Plan	Existing church and parking lot
<i>North</i>	R-1	Established Urban Westside Strategic Plan Southwest Area Plan	Single-family residential
<i>South</i>	R-T*	Established Urban Westside Strategic Plan Southwest Area Plan Tower Unser Sector Dev. Plan	Community center
<i>East</i>	R-T	Established Urban Westside Strategic Plan Southwest Area Plan Tower Unser Sector Dev. Plan	Single-family residential
<i>West</i>	R-T	Established Urban Westside Strategic Plan Southwest Area Plan Tower Unser Sector Dev. Plan	Community center trail and Coors Blvd.

* “SU-1 for Family and Community Services Center” is the correct zoning (see history section).

Request

This request is for a sector development plan map amendment to the Tower Unser Sector Development Plan (a zone change) for a portion of Tracts 150 & 151, Unit 6 of the Town of Atrisco Grant, approximately 6 acres (the “subject site”). The applicant proposes to change the subject site’s zoning from SU-1 for Church and Related Facilities to a straight R-T (Residential Townhome) zone in order to allow future development of 40-60 residential townhomes and a charter school re-use of the existing church. A site development plan is not required to accompany this request because a straight zone (as opposed to an SU-1 zone) is being requested.

Context

The subject site contains an existing church, parking lot, and unused land. The subject site is located on Gonzales Rd. SW, just west of Coors Blvd., and is adjacent north of the Alamosa Community Center.

Across Gonzales Rd. to the north are single-family residences. There are also single-family residences adjacent to the east. Adjacent to the south is the Alamosa Community Center. Adjacent to the west is a portion of the Alamosa Community Center (a trail) and then Coors Blvd. SW (see photos-attachment). In general, residential uses (mostly single-family and some multi-family) and vacant land characterize the area.

The subject site lies within the boundaries of the Established Urban Area of the Comprehensive Plan and the following applicable Plans: the Westside Strategic Plan (WSSP), the Southwest Area Plan (SWAP) and the Tower Unser Sector Development Plan (TUSDP). The subject site, approximately 0.6 miles south of Central Ave. and just west of Coors Blvd. SW, is not located in a designated Activity Center. The nearest Activity Center, the recently approved Central/Coors Neighborhood Activity Center (R-05-272) begins approximately 800 ft. north of the subject site and extends to Central Ave. Both Central Ave. and Coors Blvd. are designated Transit corridors.

History & Background

The subject site, and a great deal of land on Albuquerque's Westside, was included in the Town of Atrisco Land Grant. Records show that the subject site was part of two long narrow lots, which was the characteristic historical platting, and was zoned A-1 (Z-76-91, see attachment). Staff is uncertain when the subject site was annexed, but supposes that it was sometime in the 1970s.

In July 1976, the subject site's zoning was changed (presumably from A-1) to SU-1 for Church and Related Facilities (Z-76-91, see attachment). As part of this request, the subject site was defined as the westerly portion of Tracts 150 and 151, though the long narrow platting remained (see attachment). The City and the Archdiocese of Santa Fe agreed to a land trade (see attachment). The subject site was traded to the Archdiocese in exchange for another parcel in the area closer to 55th St. In January 1986, the EPC approved a site development plan for building permit for a church on the subject site (Z-76-91-1, see attachment).

At the time of writing the Tower/Unser Sector Development Plan (TUSDP) in the late 1980s, the subject site already had its current zoning. The TUSDP did not establish the subject site's zoning. Figure 13 (p. 62 of the Plan, see attachment), shows that the subject site's zoning was not recommended for change with adoption of the TUSDP (Enactment 129-1989, see attachment).

Nearby Site: In April 1996, the City Council approved a sector development plan map amendment from R-T to "SU-1 for Family and Community Services Center" for Tracts 152 and 153, which are adjacent south of the subject site (SD-87-1-5/Z-95-91/Bill No. R-30, see attachment). This action facilitated development of the Alamosa Community Center.

Note: Staff points out that the zoning of "SU-1 for Family and Community Services Center" is not shown on the City's AGIS system or on the zoning map in the TUSDP. Apparently, the Planning Department did not issue a Certificate of Zoning as it should have and both were not updated to reflect Bill No. R-30. Staff will ensure that this error is corrected in a timely manner.

Definitions (Zoning Code §14-16-1-5)

Site Development Plan for Subdivision: An accurate plan at a scale of at least 1 inch to 100 feet which covers at least one lot and specified the site, proposed use, pedestrian and vehicular ingress and egress, any internal circulation requirements and, for each lot, maximum building height, minimum building setback, and maximum total dwelling units and/or nonresidential uses' maximum floor area ratio.

Special Use Zone (Zoning Code §14-16-2-22): This zone provides suitable sites for uses which are special because of infrequent occurrence, effect on surrounding property, safety, hazard, or other reasons, and in which the appropriateness of the use to a specific location is partly or entirely dependent on the character of the site design.

Long Range Roadway System

The Long Range Roadway System (LRRS) map, produced by the Mid-Region Council of Governments (MRCOG), identifies the functional classifications of roadways. Coors Blvd. is a principal arterial with a 156 ft. right-of-way (ROW). Gonzales Rd. and Bataan Dr. are local streets.

Public Facilities/Community Services

Transit: Albuquerque Ride Route #155-Coors, serves the subject site. Bus #155 runs along Coors Blvd. weekdays, from early morning until the late evening. Two transit routes, Route #66 (a standard bus route and Route #766 (the Rapid Ride route Red line) run along Central Ave., which is approximately 0.6 miles north. The Comprehensive Plan designates Central Ave. as a Major Transit Corridor (from Louisiana Blvd. to Atrisco Rd.).

Police: The Westside Area Command, at 6404 Los Volcanes Rd. NW, provides police coverage.

Fire: A fire station serving Westgate and the Southwest Mesa is located at 9810 Eucariz SW, about 1.5 miles southwest of the subject site.

Zoning

The applicant proposes to change the subject site's zoning from SU-1 for Church and Related Facilities to straight R-T (Residential-Townhome zone) to allow for future development of 40-60 townhomes and a charter school.

Existing Zoning: The subject site is SU-1 for Church and Related Facilities, zoning acquired in 1976 (see History & Background) that remained with the subject site when the Tower-Unser Sector Development Plan (TUSDP) was adopted.

Proposed Zoning: The applicant is requesting straight R-T (Residential-Townhome) zoning. Note that requests for straight zones, as opposed to requests for SU-1 zoning, are not required to be accompanied with a site development plan. Therefore, there is no site development plan associated with this request.

The intent of the R-T zone (Zoning Code §14-16-2-9) is to provide “suitable sites for houses, townhouses, and uses incidental thereto in the Established and Central Urban Areas”. Permissive uses in the R-T zone are 1) townhouses, and 2) “uses permissive in the R-1 zone” with a few exceptions. The proposed future townhome use is allowed permissively in the R-T zone.

Since the R-T zone references the R-1 zone, the permissive uses in the R-1 zone are also allowed in the R-T zone. The proposed future charter school is allowed permissively in the R-T zone because “public school” is a permissive use in the R-1 zone (Zoning Code §14-16-2-6). Staff consulted with the Code Enforcement Division regarding the term “charter school”, which is indeed included in the category of “public school”.

Sector Plan: The Tower-Unser Sector Development Plan (TUSDP) applies and specifies zoning for the area. The request to change zoning on the subject site is referred to specifically as a “sector development plan map amendment”. The term zone map amendment is used when a sector plan is not involved. Though the TUSDP did not establish the subject site’s zoning, the zoning map in the TUSDP would be amended by this request.

In the TUSDP, the SU-2 zone (Zoning Code §14-16-2-23) is used on a very limited basis and is not overlaid onto the subject site or nearby sites. The SU-2 zone requires the Planning Commission to make a recommendation to City Council if: 1) a decision would impose or eliminate SU-2 zoning for an area over one block (approximately 10 acres) and/or 2) a zoning category not in the applicable sector development plan is being requested. *In this case, neither scenario is applicable so this request is not required to be forwarded to the City Council.*

I. ANALYSIS -CONFORMANCE TO ADOPTED PLANS AND POLICIES

1) Albuquerque/Bernalillo County Comprehensive Plan- Rank I

The subject site is located in an area that the Albuquerque/Bernalillo County Comprehensive Plan has designated Established Urban. The Comprehensive Plan goal of Developing and Established Urban Areas is “to create a quality urban environment which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas and life styles, while creating a visually pleasing built environment.” Applicable Goals and policies include:

Note: Because this request is for a sector development plan map amendment (zone change), the following policy analysis focuses on the uses allowed by the proposed zoning and does not address site development plan elements such as design.

Activity Centers-

Goal: The goal is to expand and strengthen concentrations of moderate and high-density mixed land use and social/economic activities which reduce urban sprawl, auto travel needs, and service costs, and which enhance the identity of Albuquerque and its communities.

Policy II.B.7.h: Changing zoning to commercial, industrial or office uses for areas outside the designated Activity Centers is discouraged.

The subject site is not located in a designated Activity Center. Rather, it is approximately 800 ft. south of the Central/Coors Neighborhood Activity Center. The Activity Center Goal is partially furthered. The uses allowed by the proposed zone are not higher-density (relative to the area) or commercial uses that are meant to be located in the Activity Centers. However, schools are listed as an “example of a typical use” for Activity Centers (see Table 10) and are intended to be located within them, which is why the Goal is partially (not entirely) furthered. Policy II.B.7.h-zone changes/Activity Centers, is furthered. The proposed residential zoning is desired outside of the designated Activity Centers.

Land Use-

Policy II.B.5h: Higher density housing is most appropriate in the following situations:

- i. In designated Activity Centers.
- ii. In areas with excellent access to the major street network.
- iii. In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- iv. In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.
- v. In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

The request generally furthers Policy II.B.5h-higher density housing location, although the proposed zoning would allow residential development that can be considered medium density relative to the area (approx. 12 DUs/ac). Nearby are less dense single-family homes (R-1) and more dense attached dwellings (R-3). The future R-T dwellings allowed by the proposed zoning would be adjacent to other R-T dwellings and would serve as a transition between the single-family homes and the Alamosa Community Center. The R-3 dwellings would be more appropriately located in the nearby Activity Center.

Policy II.B.5a: The Developing Urban and Established Urban areas as shown by the Plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

The future townhomes and school allowed by the proposed zone would not increase land use variety in the area because there are already townhomes and an elementary school, though a charter school would be a new use. Therefore, the request partially furthers Policy II.B.5a-full range of urban land uses.

Policy II.B.5d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, recreational concern.

The request partially furthers Policy II.B.5d-neighborhood values/environment/other resources, in terms of the location and intensity of the uses the proposed zoning would allow. Townhome developments are nearby. The intensity of the permissive uses seems generally suitable for this location and would be very close to the social, cultural and recreational resources at the Alamosa Community Center. Without a site development plan, however, it is not possible to evaluate the design aspect of Policy 5d or if the future uses would be connected to surrounding uses.

Policy II.B.5e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

The request partially furthers Policy II.B.5e-programmed facilities/neighborhood integrity. Existing urban facilities and services are available, but without a site development plan it is not possible to determine the extent to which the future uses would disrupt (or not) neighborhood integrity.

Policy II.B.5k: Land adjacent to arterial streets shall be planned to minimize harmful effects of traffic; livability and safety of established residential neighborhoods shall be protected in transportation planning and operations.

Policy II.B.5k-arterial streets/established neighborhoods. Though buffered from Coors Blvd. by a landscape strip, the subject site would be accessed via Gonzales Rd. which serves the established, surrounding neighborhood. In general, traffic impacts would result from the proposed uses but the specifics cannot be evaluated without site development plan details.

Housing-

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

The request partially furthers the Housing Goal. The proposed zoning would allow for development of townhomes that will be sold at market rate, though some units are intended to be affordable. Therefore, the supply of affordable housing will increase somewhat.

Education-

The Goal is to provide a wide variety of educational and recreational opportunities available to citizens from all cultural, age and educational groups.

The request furthers the Education Goal. The future development of a charter school would provide variety and would promote educational opportunities in addition to the public school system.

2) West Side Strategic Plan (WSSP) (Rank II)

The West Side Strategic Plan (WSSP), first adopted in 1997, was amended in 2002 and 2007 to help promote development of Neighborhood and Community Activity Centers. The WSSP identifies 13 communities, each with a unique identity and comprised of smaller neighborhood clusters. The subject site is located at the western edge of the West Central Community (p. 66), which consists of the area within the following boundaries: Central Avenue on the north, Blake Road on the south, Coors Blvd. on the east and the 118th Street corridor on the west.

Policy 1.1: Thirteen distinct communities, as shown on the Community Plan Map and described individually in this Plan, shall constitute the existing and future urban form of the West Side. Communities shall develop with areas of higher density (in Community and Neighborhood Centers), surrounded by areas of lower density. Bernalillo County and the City of Albuquerque Planning Commissions shall require that high density and non-residential development occur within Community and Neighborhood Centers. Low-density residential development (typical 3-5 du/acre subdivisions, or large lot rural subdivisions) shall not be approved within the Centers (p. 38).

The subject site is located in the West Central Community. The request generally furthers WSSP Policy 1.1-Community and Neighborhood Centers. Relative to the established land use pattern in the area, the uses allowed by the proposed zone are not higher-density residential or commercial uses that are meant to be located in the Activity Centers. Though schools are considered a use for the Activity Centers, the proposed zoning would allow a school to develop adjacent to the established Alamosa Community Center.

Policy 1.3: Strip commercial developments shall not be approved on the West Side. Commercial development shall occur in concentrated clustered areas rather than new strip developments. *Zone changes to commercial, industrial, or office uses for areas outside the centers are strongly discouraged, in order to reinforce the Neighborhood and Community Centers. Changes of commercial and office zoning outside the centers to residential use is encouraged except where area schools are at or over design capacity [emphasis added].* In cases where area schools are at or over their designed capacity, zone changes from non-residential to residential uses should be denied unless the applicant demonstrates that the proposed development will create no net increase in enrollment for area schools (e.g. senior housing). This policy is meant to impact the design and layout of commercial areas and their connections to adjacent development and to encourage clustering of commercial and office uses in activity centers. It is not intended to rezone allowed commercial uses.

The request partially furthers WSSP Policy 1.3. The proposed zone change would be for a residential use outside of the designated Neighborhood Center nearby, which is encouraged. However, area schools are at and over their designed capacity (see also discussion below).

Policy 3.29 (West Central Community): The residential areas south of West Central Avenue within this community should remain rural in character and density. Zone changes to higher-density residential or for additional commercial services should not be supported in this area, except in areas along Bridge Street or near the intersection of Bridge and Coors (p. 66).

Policy 3.30 (West Central Community): West Central Avenue is a linear activity “corridor” for this community and a full range of mixed land uses should be supported along both sides of this corridor. Nodes should be emphasized at Central and Coors (community center in scale) and Atrisco Plaza (neighborhood center scale) (p. 66).

WSSP Policy 3.29 and Policy 3.30 apply specifically to the West Central Community. Policy 3.29 is furthered. The proposed zone change, though it would facilitate medium-density residential development relative to the area, would occur near the intersection of Bridge and Coors as the policy intends. Policy 3.30 is partially furthered. The proposed zoning would allow uses that are appropriate outside of the Neighborhood Activity Center given the area’s established land use pattern and proximity to the Alamosa Community Center. However, the future school could be considered to de-emphasize the Neighborhood Activity Center, since schools are listed in the Comprehensive Plan as a desired use in Activity Centers.

Public School Capacity and WSSP Policy 2.5

Policy 2.5: When considering approval of subdivisions or site development plans for residential development or zone changes to residential or higher density residential, the City Planning Department shall consider whether local public schools have sufficient capacity to support the increased number of homes. If area schools are at or over their designated capacity, then the requested action should be denied unless the applicant demonstrates that the proposed development will create no net increase in enrollment for area schools (e.g., senior housing).

APS Comments: Albuquerque Public Schools (APS) comments state that the request will affect Alamosa Elementary School, Truman Middle School, and West Mesa High School. The proposed zone change will facilitate future development of 40-60 townhomes (7.2 DUs/ac to 10.8 DUs/ac without accounting for the school use on a portion of the site).

APS states that Alamosa Elementary School and West Mesa High School are exceeding capacity, and that Truman Middle School is near capacity. Atrisco Heritage Academy High School, which will open a 9th grade academy in 2008 and the rest in 2009, will relieve overcrowding at West Mesa High School. APS will explore various alternatives to address school overcrowding, such as providing new capacity, improving facility efficiency and shifting students. School impact fees, which the applicant must pay, will be assessed to help mitigate Westside school overcrowding.

WSSP Policy 2.5 states that a zone change to a residential use should be denied where area schools are at or over design capacity. As required by Policy 2.5, the Planning Department has considered the fact that area schools are at and over design capacity.

Staff finds that the request does not comply with Policy 2.5 as written, though it is important to consider the likelihood that school overcrowding will be alleviated and school impact fees will be paid. As required, the Planning Department has considered public school capacity in the context of this request. The EPC has the authority to decide whether or not the request should be granted.

3) Southwest Area Plan (SWAP) (Rank II)

The Southwest Area Plan was first adopted in 1988 and most recently in June 2002 (Enactment 42-2002). The Plan generally encompasses properties between Central Avenue and Interstate 40 on the north, the Rio Puerco on the west, the Isleta Pueblo Boundary on the south and Interstate 25 south of Woodward Road and the Rio Grande north of Woodward Road on the east; specific boundaries are shown in the Plan (see p. 3).

The 2002 adoption of the revised SWAP (Enactment 42-2002) provide guidance regarding jurisdictional boundaries. The SWAP had overlapping boundaries with the West Side Strategic Plan (WSSP), another rank 2 plan. The Enactment states: "With regard to the area where the boundaries of the Southwest Area Plan and the West Side Strategic Plan overlap south of Central Avenue and west of Coors Boulevard as depicted on Exhibit A attached hereto, the policies contained in the Southwest Area Plan shall apply to the properties situated in the unincorporated area of the County, and the policies contained in the West Side Strategic Plan shall apply to the areas situated within the municipal boundaries, as they are amended from time to time."

The subject site, located in the boundary overlap area south of Central Ave. and east of Coors Blvd., is regulated by the West Side Strategic Plan (WSSP) because it lies within the City of Albuquerque municipal boundaries. Please refer to Staff's analysis of the WSSP.

4) Tower/Unser Sector Development Plan (Rank III)

Adopted in 1989 via Enactment 129-1989 (see attachment), the Tower/Unser Sector Development Plan (TUSDP) mostly discusses utility systems, service provision and zoning. The Plan generally encompasses properties between Sunset Road on the north, Sage Road on the south, the Power line Channel on the west, and several lot east of Coors Boulevard on the east; specific boundaries are shown on Figure 1, Vicinity Map, in the Plan. The subject site's zoning pre-dated the TUSDP and was not recommended for change when the Plan was adopted.

The Tower/Unser Sector Development Plan (TUSDP), which establishes a general policy framework based on other Plans (TUSDP, p. 6), does not have specific policies and regulations applicable to the subject site. Therefore, the TUSDP does not provide direction for the subject site's development other than stating that R-T zoning is recommended where R-1 zoning requires buffering (TUSDP, p. 57).

II. SECTOR DEVELOPMENT PLAN MAP AMENDMENT

Resolution 270-1980 (Policies for Zone Map Amendments)

Resolution 270-1980 outlines policies and requirements for deciding zone map change applications pursuant to the City Zoning Code. The applicant must provide sound justification for the proposed change and demonstrate that several tests have been met. The burden is on the applicant to show why a change should be made, not on the City to show why a change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of at least one of three findings: 1) there was an error when the existing zone map pattern was created; or 2) changed neighborhood or community conditions justify the change; or 3) a different land use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

This request to change the subject site's zoning is referred to as a sector development plan map amendment, instead of a zone map amendment, because a sector development plan is involved. Changing the zoning would result in a change to the existing zoning map in the Tower-Unser Sector Development Plan (TUSDP) (see Figure 6, p. 23).

Request

The applicant is requesting straight R-T (Residential Townhome) zoning in order to allow future development of 40-60 townhomes and a charter school re-use of the existing church. Since the R-T zoning category already exists in the TUSDP, there is no need to create a new zoning category (which would constitute a Plan amendment to be forwarded to the City Council). The TUSDP employs SU-2 zoning, which is available but not required for sector development plans, only in a limited area in the Plan area's northwestern corner.

Justification

The applicant's reasoning for Sections A – J is stated below. *Staff's Analysis follows in bold italics.*

- A. The future uses will help prevent crime by putting more "eyes on the street" and will provide a transition from R-1 areas to the north and Alamosa Community Center activities to the south. The future uses will be walkable to transit, shopping and employment and will reduce vehicle miles traveled (VMT).

The applicant does not outright state that the request is consistent with the general health, safety, morals and welfare of the public, and then explain how. This is the typical method for responding to Section A, which is desirable because it makes the linkage between the intent of Section A and the proposed zoning apparent. However, the applicant explains that the future uses will help prevent crime (safety), provide a transition between R-1 areas and Alamosa Community Center and will be walkable to transit, shopping and employment and will reduce vehicle miles traveled (VMT) (health and general welfare).

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- B. The future uses will contribute to stabilization of the area. R-T zoning, adjacent to the east, is compatible with the area. The school and residents will utilize services at the Alamosa Community Center.

The applicant states that the future uses will contribute to stabilization of the area. R-T zoning is adjacent to the east. Future residents and students will utilize the Alamosa Community Center. Again, the applicant should have made a more direct connection between similar uses in the area, such as the nearby elementary school and adjacent townhomes as a way of demonstrating that the proposed zoning would improve stability of land use and zoning.

- C. The (future) project is consistent with applicable Goals and policies in the Comprehensive Plan, the West Side Strategic Plan, the Southwest Area Plan and the Tower-Unser Sector Development Plan. The request will support greater choice in housing, transportation and lifestyle. The future uses on this infill site will be close to Transit and the Alamosa Community Center, and will support existing social, cultural and recreational resources.

Comprehensive Plan Citations: The applicant cites the following Goals and policies: the Developing and Established Urban Goal, full range of urban land uses (Policy II.B.5a); location, design and intensity of new development (Policy II.B.5d), new growth/existing neighborhoods (Policy II.B.5e), higher density housing (Policy II.B.5h), the Transportation & Transit Goal and Policies a and c.

West Side Strategic Plan (WSSP) Citations: West Central Community Policy 3.29.

Tower-Unser Sector Development Plan (TUSDP) Citation: Justification for R-T zoning (text).

The applicant refers to Goals and policies in applicable Plans including the Comprehensive Plan, the West Side Strategic Plan (WSSP) and the Tower-Unser Sector Development Plan (TUSDP), though the discussion is in reverse order (typically the Comprehensive Plan is first).

Staff finds that the applicant's policy discussion is acceptable, but could be strengthened in certain places. The applicant should have addressed activity centers in the context of the WSSP, since the WSSP provides guidance regarding zone changes and activity centers. Regarding WSSP Policy 3.29 (West Central Community), an elaboration of how would be helpful (p. 4 of applicant's second letter). Also, regarding Comprehensive Plan Transportation and Transit Policy c, a couple of sentences to explain why the applicant believes that additional dwelling units will not destabilize the neighborhood would strengthen the argument (p. 7).

- D. A change in neighborhood conditions (D.2) has occurred, including the church no longer operating, construction of the Alamosa Community Center and Skate Park, vacation of Airport Rd. and development of employment in the area. A change in zoning is more advantageous to the community (D.3) because it will provide more vitality than the church zoning. The (future) uses will be compatible with the Alamosa Community Center and will be pedestrian and transit friendly.

The applicant does not allege an error (Section D.1). Rather, the applicant uses changed neighborhood or community conditions (D.2) and "more beneficial to the community" (D.3) as

reasons to justify the proposed zone change. The applicant establishes that conditions in the area have changed; of great significance are the church closing and the Alamosa Community Center opening. Regarding more beneficial to the community, the applicant states that the proposed zoning would provide more residents than the church zoning. That's a given when comparing R-T to SU-1 for church zoning and doesn't really strengthen the argument. Of greater importance when considering benefit to the community is the applicant's reasoning that the future townhomes and school uses would be compatible with the adjacent Alamosa Community Center.

- E. The applicant, in a supplemental response, states that permissive uses in R-T (with a few exceptions) are permissive uses in R-1. The applicant explains that none of the permissive uses would be inappropriate in a transition from the neighborhood to Coors Blvd. and the Alamosa Community Center.

Staff agrees with the applicant's statement that the permissive uses in R-T (which references R-1) would be generally appropriate as a transition from the neighborhood to Coors Blvd. and the Alamosa Community Center. Staff points out, however, that neighborhoods often consider "community residential program" and/or "wireless telecommunications facility (WTF)" to not be benign uses.

- F. No known unprogrammed capital expenditures by the City will result.

Staff acknowledges the applicant's statement that no known unprogrammed capital expenditures by the City will result. The subject site is well served by utilities and services.

- G. Economic considerations are not proposed as a determining factor for this request.

Staff acknowledges the applicant's statement that economic considerations are not proposed as a determining factor for this zone change request.

- H. We are not requesting a change to any of these zone categories.

The applicant states that a change to any of these zoning categories (apartments, office or commercial) is not being requested. While this is true, the applicant should have stated that the subject site's proximity to a major street is not being used as a justification for this zone change request.

- I. This request does not constitute a spot zone. The existing zoning to the east and south is already R-T.

Staff acknowledges the applicant's reasoning that this request would not result in a spot zone because there is R-T zoning adjacent to the east of the subject site. R-T zoning was incorrectly listed as the zoning to the south, an error that Staff will remedy.

- J. Not applicable because the request contains no commercial zoning and is not a strip of land.

Staff acknowledges the applicant's reasoning that Section J does not apply in this case since the request is not for commercial zoning and is not a strip of land.

Staff concludes that the zone change request, overall, has been adequately justified though it could have been strengthened in certain places (see Section C). For example, there are a couple of instances in which the connection between the cited Goal or Policy and the future uses the zoning would allow could have been made more apparent. Supplemental justification was provided to adequately address Section E. A discussion of other permissive uses, not just the future uses envisioned for the subject site, is required since the zoning goes with the land.

Staff points out that a site design different from the norm is needed to fulfill the applicant's vision of increasing walkability and transit usage, and creating synergy between the future townhomes, school and Alamosa Community Center. The facilitated meeting report indicates that site development plan issues were discussed. However, SU-1 zoning is not being requested so site development plan issues do not enter this analysis. At this stage it remains unknown how the applicant's vision will be implemented, though eventually a site development plan for the subject site will be considered at a future Development Review Board (DRB) public hearing.

Concerns of Reviewing Agencies/Pre-Hearing Discussion

City departments and other interested agencies reviewed this application from 3/10/08 to 3/21/08. The applicant attended the pre-hearing discussion meeting on March 26, 2008.

Though few in number, the agency comments received are significant. The Advance Planning Division states that, in this case, a zone change to R-T without a site development plan will not ensure that the future development will be connected and that walking routes will be safe. Albuquerque Public Schools (APS) notes that Alamosa Elementary School and West Mesa High School are exceeding capacity. Truman Middle School will be nearing capacity. Atrisco Heritage Academy High School will open in 2009 to relieve overcrowding at West Mesa High School. PNM states that there is an overhead distribution line through the subject site.

Neighborhood Concerns

The neighborhood association required to be notified is the Alamosa Neighborhood Association (NA), which the applicant has notified. Apparently, there were two private meetings between the NA and the applicant prior to the facilitated meeting. The ANA generally supports the proposal.

A facilitated meeting, recommended by the Office of Neighborhood Coordination (ONC), was held on March 31, 2008 (see attachment). The majority of topics discussed, such as site layout, design and access, focused on site plan issues. The meeting report indicates that there was a strong need for more information on the site plan.

Staff points out that, though site plan issues were discussed, the request is for a zone change. Without the minimally required site development plan for subdivision, the site layout, access and connections (or

lack thereof) to the surrounding uses remain unknown at this stage and could change in the future. The EPC is the appropriate body to evaluate layout, access and connections (and design if included) rather than the DRB—which is a technical board focusing mostly on infrastructure and the subdivision ordinance.

Conclusion

This proposal is for a sector development plan map amendment for an approximately 6 acre site on Gonzales Rd. SW. A vacant church building and a parking lot occupy the subject site. The applicant proposes to change the subject site's zoning from SU-1 for Church and Related Facilities to straight R-T (residential townhomes) to allow future development of townhomes and a charter school. Both are permissive uses in the R-T zone.

The subject site lies within the boundaries of the Established Urban area of the Comprehensive Plan. The Westside Side Strategic Plan (WSSP) and the Tower-Unser Sector Development Plan (TUSDP) also apply.

Staff concludes that the zone change request, overall, has been adequately justified though it could have been strengthened in certain places (see analysis). Staff points out that a site design different from the norm is needed to fulfill the applicant's vision of increasing walkability and transit usage, and creating synergy between the future townhomes, school and Alamosa Community Center.

The facilitated meeting report indicates that site development plan issues were discussed. However, SU-1 zoning is not being requested so site development plan issues do not enter this analysis. At this stage it remains unknown how the applicant's vision will be implemented, though eventually a site development plan will be considered at a future Development Review Board (DRB) public hearing.

Staff recommends approval of the sector development plan map amendment.

FINDINGS -08EPC 40025, April 17, 2008- Sector Development Plan Map Amendment

1. This request is for a sector development plan map amendment for an approximately 6 acre site located on Gonzales Road SW, just east of Coors Boulevard (the “subject site”). The vacant building of a former church occupies part of the subject site.
2. The applicant proposes to change the subject site’s zoning from “SU-1 for Church and Related Facilities” to R-T (residential townhomes) in order to develop townhomes and a charter school in the future. Both are permissive uses in the R-T zone.
3. The subject site is located within the boundaries of the Established Urban area of the Comprehensive Plan, the West Side Strategic Plan and the Tower-Unser Sector Development Plan. The Central/Coors Neighborhood Activity Center begins approximately 800 feet north of the subject site. Both Central Avenue and Coors Boulevard are designated Transit corridors.
4. Because a change of zoning would affect the Tower-Unser sector development plan’s zoning map, this request is referred to as a sector development plan map amendment rather than a zone map amendment.
5. The request *generally furthers* Comprehensive Plan Policy II.B.5h-higher density housing location. The request would allow residential development that can be considered medium density relative to the area. The future R-T dwellings would serve as a transition between the single-family homes and the Alamosa Community Center.
6. The request *partially furthers* the Activity Center Goal and *generally furthers* Policy II.B.7.h-zone changes/Activity Centers. The uses allowed by the proposed zoning are not higher-density relative to the area or commercial uses, though schools are listed in Table 10 as a typical use for Activity Centers. Therefore, the Goal is partially furthered. The proposed residential zoning is generally desired outside of designated Activity Centers, so Policy II.B.7h is generally furthered.
7. Regarding applicable Comprehensive Plan Goals, the request *partially furthers* and *furtheres* the following:
 - A. Housing Goal (partially furthers). The proposed zoning would allow for development of townhomes that will be sold at market rate, though some units are intended to be affordable. The supply of affordable housing will increase somewhat.

B. Education Goal (furtheres). The future development of a charter school would provide variety and would promote educational opportunities in addition to the public school system.

8. The request *partially furthers* the following Comprehensive Plan policies:

A. Policy II.B.5a-full range of urban land uses. Townhomes and an elementary school are already located in the area. Land use variety in general would not increase, though a charter school would be a new use in the area.

B. Policy II.B.5e-programmed facilities/neighborhood integrity. Existing urban facilities and services are available, but without a site development plan it is not possible to determine the extent to which the future uses would disrupt neighborhood integrity.

C. Policy II.B.5d-neighborhood values/environment/other resources. The intensity of the permissive uses seems generally suitable for this location close to social, cultural and recreational resources. Without a site development plan, however, it is not possible to evaluate design or if the future uses would be connected to surrounding uses.

9. The request *generally furthers* the following West Side Strategic Plan (WSSP) policies:

A. Policy 1.1- Relative to the established land use pattern in the area, the uses allowed by the proposed zone are not higher-density residential or commercial uses that are meant to be located in the Activity Centers.

B. Policy 3.29 (West Central Community)- Medium-density residential development is appropriate in the area near the intersection of Bridge and Coors, as the policy calls for.

10. The request *partially furthers* the following West Side Strategic Plan (WSSP) policies:

A. Policy 1.3- The proposed zone change would be for a residential use outside of the designated Neighborhood Center nearby, which is encouraged. However, area schools are at and over their designed capacity.

B. Policy 2.5- As required, the Planning Department has considered the fact that area schools are at and over design capacity. Though the request *does not comply* with this policy as written, school overcrowding is likely to be alleviated and school impact fees will be paid.

C. Policy 3.30 (West Central Community)- The zoning would allow uses appropriate outside of the Neighborhood Activity Center given the area's established land use pattern and proximity to the Alamosa Community Center.

11. According to the Tower-Unser Sector Development Plan (TUSDP), R-T zoning is recommended “on several parcels along 98th Street and north of Bridge Boulevard within the Established Urban Area of the Comprehensive Plan and where the R-1 zoning requires buffering from more intense uses” (p. 57). The subject site was zoned SU-1 for Church and Related Facilities because of the church, which is no longer operating. The requested R-T zoning would buffer the single-family homes from the Alamosa Community Center and, therefore, would fulfill the intent of the TUSDP mentioned herein.

12. The zone change request has been adequately justified pursuant to Resolution 270-1980:

- A. Section A: The future uses will help prevent crime (safety), provide a transition between R-1 areas and Alamosa Community Center and will be walkable to transit, shopping and employment and will reduce vehicle miles traveled (VMT) (health and general welfare).
- B. Section B: The future uses will contribute to stabilization of the area and that R-T zoning is adjacent to the east. The applicant could have made a more direct connection between the request and similar uses in the area to demonstrate that the proposed zoning would improve stability of land use and zoning.
- C. Section C: The applicant appropriately refers to Goals and policies in applicable Plans. Staff finds that the policy discussion is acceptable, but could be strengthened in certain places. For example, the applicant should have addressed activity centers in the context of the WSSP.
- D. Section D: The applicant uses changed neighborhood or community conditions (D.2) and “more beneficial to the community” (D.3). Changed conditions include the church closing and the Alamosa Community Center opening. The proposed zoning would provide for future townhomes and school uses which would be compatible with the adjacent Alamosa Community Center.
- E. Section E: Permissive R-T uses would be generally appropriate as a transition from the neighborhood to Coors Boulevard and the Alamosa Community Center. Staff points out, however, that “community residential program” and/or “wireless telecommunications facility (WTF)” are often considered to not be benign uses.
- F. Section F: No known unprogrammed capital expenditures by the City will result. The subject site is well served by utilities and services.
- G. Section G: Economic considerations are not proposed as a determining factor for this zone change request.
- H. Section H: The applicant states that a change to any of these zoning categories (apartments, office or commercial) is not being requested. The applicant should have stated that the subject site’s proximity to a major street is not being used as a justification for this request.

- I. Section I: This request would not result in a spot zone because there is R-T zoning adjacent to the east of the subject site.
- J. Section J: Section J does not apply in this case since the request is not for commercial zoning and is not a strip of land.

13. The affected neighborhood association is the Alamosa Neighborhood Association (NA). A facilitated meeting was held. There is general support, though concern was expressed about various site development plan issues. Staff has not received any correspondence as of this writing.

RECOMMENDATION - 08EPC 40025, April 17, 2008

APPROVAL of 08EPC 40025, a request for a sector development plan map amendment from SU-1 for Church and Related Facilities to R-T for a portion of Tracts 150 & 151, Unit 6, Town of Atrisco Grant, located on Gonzales Road SW, based on the preceding Findings.

***Catalina Lehner, AICP
Senior Planner***

cc: YES 6900 Gonzales LLC, 104 Roma Ave. NW, Albuquerque, NM 87102
Integrated Design & Architecture, 624 Tijeras Ave. NW, Albuquerque, NM 87102
Klarissa Pena, Alamosa NA, 6013 Sunset Gardens SW, Albuquerque, NM 87121
Miguel Maestas, Alamosa NA, 6013 Sunset Gardens SW, Albuquerque, NM 87121

AGENCY COMMENTS

➤ **The following agencies did not review or comment on Project #1002068:**

City of Albuquerque

Environmental Health, Air Quality Division
Environmental Health, Env. Services Division
Environmental Health, City Forrester
Fire Department, Planning
Parks & Recreation, Planning and Design
Police Department/Planning
Transit Department

Other

Bernalillo County
Middle Rio Grande Conservancy Dist (MRGCD)
Mid-Region Council of Governments (MRCOG)

➤ **The following City of Albuquerque Departments reviewed and commented on Project #1002068:**

Planning, Zone Code Services

If the proposed amendment to the Tower Unser Sector Development Plan and zone change from SU-1 for church and related facilities to R-T Residential Zone is approved, any development of the property shall be required to meet all regulations of the R-T Zone - These regulations would include but not be limited to: allowed uses of the property, lot size, setbacks, height, off-street parking, and usable open space.

Planning, Office of Neighborhood Coordination

Alamosa NA (R)

3/11/08 – Recommended for facilitation – siw

Planning, Advance and Urban Design

The justifications for particular permissive uses allowed under R-T zoning are fine and make a lot of sense. However, granting a blanket zone change to RT without an accompanying site plan that shows the school, the mixture of housing types to include attached townhouse development, and the network of streets that will provide safe walking routes to the proposed charter school, Alamosa Community Center and park, nearby bus stops, and the Community Activity Center at Central and Coors does not assure the City that this type of development will occur.

With a blanket change to R-T zoning it could be possible that a walled development of small houses on tiny lots could be built instead. That has been the common development pattern in Southwest Albuquerque and the very one that turned current residents against the R-T and R-LT zones.

Any future site plan should help the City improve the entrance to Alamosa Community Center. The current long driveway makes the community center the best hidden treasure in southwest Albuquerque.

Parks & Recreation, Open Space Division

Open Space has no adverse comments.

Solid Waste Management Dept., Refuse Division

Approved on condition, will comply with all SWMD ordinances and requirements.

City of Albuquerque Public Works Department

Transportation Development (City Engineer/Planning Department):

Reviewed, no comments.

Hydrology Development (City Engineer/Planning Department):

The Hydrology Section has no objection to the sector plan amendment.

Transportation Planning (Department of Municipal Development):

Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

No comments received.

Street Maintenance (Department of Municipal Development):

No comments received.

Utility Development (Water Authority):

No comments received.

Water Resources, Water Utilities and Wastewater Utilities (Water Authority):

No comments received.

New Mexico Department of Transportation (NMDOT):

No comments received.

**RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT,
WATER AUTHORITY and NMDOT:**

Conditions of approval for the proposed Sector Development Plan Map Amendment shall include:

- a. None.

➤ **The following agencies reviewed Project #1006972:**

Abq. Metropolitan Arroyo Flood Control Authority (AMAFCA)

Reviewed, no comment.

Albuquerque Public Schools (APS)

Town of Atrisco Grant Unit 6, portions of Tracts 150 and 151, is located on Gonzales Rd SW between Coors Blvd SW and Bataan Dr SW. The owner of the above property requests a zone change from SU-1 Church and Related Facilities to RT for a charter school and 60 residential townhouses. The residential portion of this development will impact Alamosa Elementary School, Truman Middle School, and West Mesa High School. Alamosa Elementary School and West Mesa High School are exceeding capacity. Truman Middle School will be nearing capacity.

Loc No	School	2007-08 40th Day	2007-08 Capacity	Space Available
210	Alamosa	659	647	-12
475	Truman	1,087	1,152	65
570	West Mesa	2,749	2,632	-117

Atrisco Heritage Academy High School will open with a 9th grade academy in 2008, while the remainder of the school will open in 2009. Atrisco Heritage Academy High School will relieve overcrowding at West Mesa High School.

To address overcrowding at schools, APS will explore various alternatives. A combination or all of the following options may be utilized to relieve overcrowded schools.

- Provide new capacity (long term solution)
 - Construct new schools or additions
 - Add portables
 - Use of non-classroom spaces for temporary classrooms
 - Lease facilities
 - Use other public facilities
- Improve facility efficiency (short term solution)
 - Schedule Changes
 - Double sessions
 - Multi-track year-round
 - Other
 - Float teachers (flex schedule)
- Shift students to Schools with Capacity (short term solution)
 - Boundary Adjustments / Busing
 - Grade reconfiguration
- Combination of above strategies

All planned additions to existing educational facilities are contingent upon taxpayer approval.

Public Service Company of New Mexico (PNM)

There is an overhead line that runs through the property. Any changes or realignment of the existing overhead distribution lines will be at the customer's expense.